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ABSTRACT

The Migrant Education Program (MEP) was reauthorized for 5 years, effective July 1, 1995. Legislative changes in eligibility, priority for services, schoolwide projects, student record transfer, the summer funding formula, and consortium incentives make this the most sweeping one-time change in programming for migrant children and youth since the program's inception in 1966. Reduction in the eligibility period from 6 to 3 years, based on a single move, will remove about 200,000 formerly migrant children from the program. However, another revision that extends eligibility to migrant workers and their spouses through age 21 will add unknown numbers of older youth. A major change requires MEP grantees to give priority in the use of funds to migrant children who are failing or at risk of failing to meet state standards, and whose education was interrupted during the regular school year. Migrant educators believe that virtually all migrant students are at risk in relation to performance standards, and fear that this requirement may discourage families from remaining in home states until the end of the school year. The MEP includes other changes: allowing commingling of MEP funds with other funds in schoolwide projects serving migrant children; mandating replacement of the Migrant Student Record Transfer System with new means of counting migrant children and transferring records; mandating development of a new funding formula that reflects cost factors for different types of summer programs; and providing monetary incentives for interstate consortium arrangements that improve delivery of services. Contains seven references. (SV)

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Reauthorized Migrant Education Program: Old Themes and New

by Al Wright

THE Migrant Education Program (MEP) secured a new 5-year lease on life when it was reauthorized in the Improving America's Schools Act (IASA) of 1994, signed into law by President Clinton in October 1994. The new authorization, effective July 1, 1995, requires changes in eligibility, priority for services, schoolwide projects, migrant student record transfer, the summer funding formula, and consortium incentives. This digest describes the new requirements, which, taken together, make this the most sweeping one-time change in programming for children of migratory farmworkers and fishermen since it was first enacted as a 1966 amendment to the Elementary and Secondary Education Act of 1965.

Overview

Changes in eligibility remove about 200,000 children from the program but add unknown numbers of older youth. Program priorities are redefined. There are new requirements for joint planning with other federal and state programs, options for interstate consortia, and modifications in the summer funding formula. Comparable to other IASA programs, there is a call for migrant students to meet challenging academic standards.

Equally dramatic is what is missing from the new legislation: a set-aside for funding a national migrant student database. The Migrant Student Record Transfer System (MSRTS) is scheduled for discontinuation June 30, 1995, but the new legislation nevertheless requires Migrant Education grantees to exchange student records.

For all that, however, the Migrant Education Program retains its essential character and purpose: it remains a state grant program. The authorizing language carries no mandate to make major modifications in program models and delivery systems now being used to serve migrant children.

But services to migrant children will be affected, to a degree impossible to estimate, by changes in the MEP's parent program, the Title I Part A "basic" program. Redefined as a program to help disadvantaged students meet high standards, Title I authorizes the use of funds from a number of sources, including Migrant Education, to serve children in schoolwide projects. The new MEP carries a "special rule" concerning migrant children in such projects.

The new MEP authorization is about twice as long as the version in effect through June 30, 1995. Additional text includes, for the first time, a statement of purpose specifically addressing the migrant program; program requirements relating the MEP to the Goals 2000 program; definitions formerly carried only in regulations; and mechanisms for coping with the absence of MSRTS, which has not only been used to exchange information between schools and MEP sites, but also has been the basis for enumerating migrant children and allocating program funds among the states.

Eligibility

About a third of the children presently eligible for the Migrant Education Program will no longer qualify, owing to the reduction in the eligibility period for children who cease to migrate. The core criteria for initial eligibility are unchanged in the new legislation, i.e., a child (ages 3-21, inclusive) is defined as migratory when he or she moves from one school district to another in order for one or more family members to seek temporary or seasonal work in agriculture or fishing. Beginning July 1, 1995, the eligibility based on a single move extends for only 3 years (reduced from 6 years).

Children who move more frequently establish a new eligibility each time they make a "qualifying" move. For example, if a family home-based in Texas migrates each year to Ohio and then to Michigan to pick cucumbers, cherries and apples, the children become eligible on the move to Ohio and then start a new 36-month cycle of eligibility when they relocate to Michigan. But the return to Texas is ordinarily not a qualifying move, because the family is returning home—though for many it is a home they know for only 6 or 7 months a year.

By reducing the term of eligibility, Congress intended to focus more funds on the children who move most frequently. This was consistent with recommendations from many quarters, including the National Commission on Migrant Education and the National Association of Migrant Educators.

The new law provides three exceptions for continuing services beyond the 3-year mark: any child whose eligibility expires during a school term may be served until the end of the term; a child whose eligibility ends prior to the start of a term may be served for another year "if comparable services are not available through other programs," and secondary students can continue to be served "through credit accrual programs" until graduation. Because children served under the continuation provisions are not weighted in the funding allocations, services to such children may be limited. However, continuing concern about the still high dropout rate among migrant students (about 50 percent) may result in use of the continuation option for many secondary students.

The immediate effect of the 3-year eligibility period will be to produce a redistribution among the states of the MEP appropriation (approximately $305 million for the 1995-96 program year). States currently enrolling larger numbers of migrant children in the 4th, 5th, and 6th years of eligibility will lose funds, while states enrolling more children in the first 3 years of eligibility will gain.

Another revision in the eligibility definition makes eligible a category of older youth who previously did not qualify. Migrant *workers* and their *spouses* through the age of 21 will now qualify. Previously, a worker qualified for the program only if he or she had earlier migrated with a parent or guardian, and spouses did not qualify. It is difficult to estimate the number of migrants in the 16-21 age range who will qualify under this provision, but the number could be significant. In some cases, parents and children both may be eligible. Major program adjustments will be necessary if educational and support services are to be provided to a population that is not likely to be enrolled in school.

Priority for Services

There is a major change in the legislative priority for MEP services. In using MEP funds, grantees and subgrantees "shall give priority to migratory children who are failing, or most at risk of failing, to meet the State's challenging . . . standards, and whose education has been interrupted during the regular school year."

Migrant educators generally believe that virtually all migrant children are at risk in relation to challenging performance

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standards. Even outstanding students are in jeopardy because of state-to-state differences in curriculum and testing requirements. There is greater concern about implications and possible interpretations of the educational interruption priority. This criterion is viewed as a potential disincentive for migrant families to delay departures from their home bases until the end of the school year—a practice that the MEP has promoted for decades with considerable effect. If migrant families believe that allowing their children to complete the school year will result in loss of access to summer programs in receiving states, they may simply withdraw them and migrate earlier.

There is also uncertainty about whether a migrant child's late return to his or her home–base school constitutes an interruption. Many migrant students do not return until October or November each year, and many, especially the older youths who help their parents in the field, have not attended school before their return. Technically, their school year has not been interrupted, because it has not yet begun.

School–wide Projects

Title I Part A authorizes the use of Part A funds, "in combination with other Federal, State and local funds," for schoolwide programs. Pending development of regulations, this is generally interpreted as authorizing the commingling of MEP funds with other funds in schoolwide projects that serve migrant children. The provision, however, does not supersede the MEP program requirements for states to assess needs of migrant children and plan appropriate services. In other words, MEP funds can be placed in schoolwide projects if state administrators decide that such projects would meet the needs of migrant children, but there is no mandate to use schoolwide projects as a primary means of meeting their needs.

Additionally, the special rule carried in the MEP authorization requires that any schoolwide projects receiving MEP funds must use those funds to meet needs that result from the migratory lifestyle of migrant children or are not addressed by other programs, or to provide services needed to permit migrant children to participate effectively in school.

Life After MSRTS

The new MEP statute contains an implicit mandate to replace MSRTS by directing the Secretary to seek recommendations on new means of counting migrant children and transferring records, the twin functions of the system defined in the old law. Allocation of funds for the 1995-96 program year is to be based for the last time on data provided by the MSRTS, which was scheduled to begin phasedown of operations after compiling full-time equivalent counts of migrant children in each state in 1994.

The new authorization, like the old, requires state grantees to foster interstate coordination of services, including "the timely transfer of pertinent school records." In the absence of MSRTS, the law calls for the Secretary to solicit information and recommendations on the transfer of student records and possible technologies that could be employed, and to make a report to Congress by April 30, 1995. The report is to include "recommendations for interim measures that may be taken to ensure continuity of services in this program."

In existence since the early 1970s and originally a showpiece of educational technology at work, MSRTS, a national information system anchored in Little Rock, Arkansas, had come under criticism for its costs—an estimated $25 million at federal, state and local levels—and alleged ineffectiveness. The National Commission on Migrant Education (1991) produced a set of recommendations for improving the system. Before the recommendations could be carried out, however, Congress enacted P.L. 103-59 in 1993, providing for extension of the system only until June 30, 1995. Continuation beyond that point would be at the discretion of the Secretary of Education. When the chairman and ranking minority member of the House Education and Labor Committee subsequently filed a Migrant Education reauthorization bill (HR2679) that specified the discontinuation of MSRTS, the Department of Education took it as its cue to omit MSRTS from its reauthorization package.

Ironically, the new legislation devotes more attention to records transfer than did the previous statutes. Many observers expect attempts to create alternate systems for the transfer of records to add substantially to costs.

Summer Funding Formula

Summer programs were originally conceived as "safe havens" for migrant children, who might otherwise be with their parents harvesting crops in the field, as well as places for providing a wide range of educational opportunities. Summer schools were inherently more costly than regular term supplemental programs because they could not piggyback on the existing infrastructure (buildings, maintenance, food service, transportation, etc.) The MEP law was amended to provide an upward adjustment to the allocation to states providing the summer program, producing a formula under which a migrant child generated about four times as much for each day enrolled in summer school as for a day in regular term.

While the adjustment initially achieved its purpose, it became problematic when some MEP grantees began to offer nontraditional, nonschool-based summer programs in which migrant children could be enrolled and served at lower cost. The Department of Education ruled that each state had the right to define an educational program for migrant children according to its own principles and standards. The number of migrant children, especially formerly migrant children, enrolled in low-cost programs dramatically increased because it was possible to generate more funds in supplemental funding than the programs cost to operate. Such programs drew criticism from those who felt the low-cost programs, if conducted primarily to generate additional funds, were contrary to the essential purpose of the programs.

The new law addresses the criticism by directing the Secretary to develop a procedure that more accurately reflects cost factors for the different types of summer programs.

Consortium Incentives

Although the MEP statute had historically permitted states to join together in applying for their basic grants, no states ever exercised the option. The new law, in an effort to make programs more effective in states receiving smaller grants, provides monetary incentives for doing so. States that join in consortia are eligible to receive additional grants of up to $250,000 from a $1.5 million set-aside. Besides the financial incentive, the statute provides that the Secretary "shall consult" with states receiving MEP grants of under $1 million "to determine whether consortium arrangements with another State or other appropriate entity would result in delivery of services in a more effective and efficient manner."

BIBLIOGRAPHY

Congress of the U.S., House Committee on Education and Labor. (1994). *Improving America's Schools Act of 1994.* Washington, DC: U.S. Government Printing Office. (ERIC Document Reproduction Service No. ED 369 147)

Cox, J. L., Burkheimer, G., Curtin, T. R., Rudes, B., Iachan, R., Strang, W., Carlson, E., Zarkin, G., & Dean, N. (1992). *Descriptive study of the chapter 1 migrant education program. Final report (Vols. 1–3).* Research Triangle Park, NC: Research Triangle Institute. (ERIC Document Reproduction Service No. ED 355 085)

Migrant Education Programs. (1991). *Migrant Education Program Policy Manual.* Washington, DC: Office of Elementary and Secondary Education. (ERIC Document Reproduction Service No. ED 347 037)

National Commission on Migrant Education. (1992). *Invisible children: A portrait of migrant education in the United States: Final report.* Washington, DC: Author. (ERIC Document Reproduction Service No. ED 348 206)

National Commission on Migrant Education. (1991). *Keeping up with our nation's migrant students: A report on the migrant student record transfer system (MSRTS).* Bethesda, MD: Author. (ERIC Document Reproduction Service No. ED 350 117)

Pringle, B.A., & Rosenthal, E.D. (1993). *An analysis of the costs of chapter 1 migrant education program summer services.* Washington, DC: Department of Education (Contract LC 89089001).

Resendez, I., Miller, W., Reyna, T., Rivera, V.A., & Wright, A. (1992). *A comprehensive plan for the education of America's migrant children through elementary and secondary education programs scheduled for reauthorization in 1993.* Sunnyside, WA: National Association of Migrant Educators. (ERIC Clearinghouse Accession Number RC 019972)

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